

REMARKS

Applicant has reviewed the Office Action dated as mailed August 12, 2009, and the documents cited therewith. In view of the foregoing amendments as well as the following remarks, Applicants respectfully submit that this application is in complete condition for allowance and request reconsideration of the application in this regard.

Claim Rejections under 35 U.S.C. §112

The Office Action rejected Claims 14 and 26 for allegedly not being supported by the specification. Specifically, the Office Action stated that the specification does not provide support for “determining the risk further comprises at least two of . . .,” as recited in Claim 14, and “risk rating tool is programmed to present a graphical user interface for a user to select each of . . .,” as recited in Claim 26. Applicant vigorously disagrees. Each of these limitations are fully disclosed and supported in the specification, such as at Figure 12A and paragraphs [0048]-[0070]. These are merely examples of specification support and all claim recitations in Claims 14 and 17 are fully disclosed and supported throughout in the specification. Nonetheless, Applicant has amended Claims 14 and 26 back solely to minimize issues in an effort to move the present application closer to allowance. Thus, reconsideration and withdrawal of the Section 112 claim rejections are hereby requested.

Claim Rejections under 35 U.S.C. §102

Claims 11-14, 16-17, 19-20 and 23-26 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Application Publication 2002/0138407 by Lawrence et al. (hereinafter “Lawrence”). For a proper rejection under Section 102, the Office must demonstrate that the identical invention is "shown in as complete detail as contained in the....claim," and that the elements are "arranged as required by the claim...." M.P.E.P. § 2131. The Office has failed to meet this burden.

Lawrence is directed to managing risk associated with a financial transaction with global risk exposure - called a global risk management system (GRM). Lawrence is only directed to

managing risk where a risk may have global impact and implications. Lawrence does not teach a risk determination system directed towards *anti-money laundering*.

Claim 11, as amended, recites:

“A method to evaluate anti-money laundering risk, comprising:

...

determining a risk rating for evaluating anti-money laundering risk, using a computer, based on responses to predetermined criteria or questions related to the country, the at least one financial product or investment and the customer type, wherein the determining the risk rating comprises:

evaluating a sophistication of the person or other legal entity with respect to the at least one selected financial product or investment; and

determining the at least one selected financial product or investment's propensity for use for money laundering; and
presenting the risk rating to a user.”

Applicant respectfully submits that there is no teaching or suggestion in Lawrence of “evaluating the person or other legal entity's sophistication with respect to the at least one selected financial product or investment.” Lawrence only discloses “the GRM system 106 can facilitate detection and reporting of potential violations of law as well as address . . . the assessment of sophistication of a customer.” Even though Lawrence mentions the term “sophistication,” this sophistication is a general sophistication of a person and is not a sophistication evaluation “with respect to the at least one selected financial product or investment.” Such disregard of this recitation of Claim 1 is clear error.

Additionally, Applicant respectfully submits that there is no teaching or suggestion in Lawrence of “determining the at least one selected financial product or investment's propensity for evaluating anti-money laundering risk,” as recited in Claim 11. Lawrence only states “information received can be associated with criteria including . . . the propensity of people in similar positions to execute unlawful or unethical transactions.” However, Lawrence does not disclose the specific claimed element of the “selected financial product or investment's propensity.” Further, Lawrence is only directed to “unlawful or unethical transactions” and not the specifically disclosed “anti-money laundering” claim element. Application reminds the Examiner that for a proper rejection under Section 102, the Examiner must demonstrate that the

identical invention is "shown in as complete detail as contained in the....claim," and that the elements are "arranged as required by the claim...." *See* MPEP 2131.

Furthermore, there is no disclosure in Lawrence of "determining a risk rating for evaluating anti-money laundering risk, using a computer, based on responses to predetermined criteria or questions related to the country, the at least one financial product or investment and the customer type," as recited in Claim 11. There is no discussion in Lawrence of determining a risk rating for about a weighting or a risk. There is no discussion in Lawrence of determining a risk rating based on predetermined criteria or questions related to a combination of the customer's country, the financial product/investment associated with the customer, **and** the customer type. For example, there is no discussion of determining a risk rating based on the financial product or investment associated with the customer. This is because Lawrence is only directed to global risk management system (GRM) and not an anti-money laundering system.

Accordingly, Claim 11 is respectfully submitted to be patentable over Lawrence and reconsideration and withdrawal of the section 102 rejection of Claim 11 is respectfully requested.

Regarding the rejection of Claims 12-14 and 16 under 35 U.S.C. § 102 as being anticipated by Lawrence, these claims recite additional features which further patentably distinguish over Lawrence. For example, Claim 16 recites:

"wherein determining the risk comprises:
determining if the person or other legal entity is currently
being monitored with respect to financial activity;
determining a level of risk of the person or other legal
entity being associated with terrorist activity;
evaluating a level of knowledge about the person or other
legal entity; and
determining if the person or other legal entity is known to
be a high risk."

Lawrence does not teach or suggest that each of the following are performed when determining the risk rating: 1) determining if the person or other legal entity is currently being monitored with respect to financial activity; 2) determining a level of risk of the person or other legal entity being associated with terrorist activity; 3) evaluating a level of knowledge about the person or other legal entity; and 4) determining if the person or other legal entity is known to be a high risk. For example, there is no discussion at all in Lawrence about entities being associated

with terrorist activity. In fact, there is no mention of the word “terrorist” in Lawrence at all. By way of another example, there is no discussion in Lawrence of “a level of knowledge about the person or other legal entity.” Applicants are at a complete loss as to how Claim 16 is not allowable over Lawrence. Additionally, Applicants note that the Examiner has not pointed out what portion in Lawrence discloses each and every element of Claim 16. It appears the Examiner has only considered the last element of Claim 16, which is clear error. Accordingly, Claim 16 is respectfully submitted to be patentable over Lawrence and reconsideration and withdrawal of the section 102 rejection of Claim 16 is respectfully requested.

Additionally, Claims 12-14, and 16 depend either directly or indirectly from independent Claim 11. Because of this dependency, Claims 12-14, and 16 include all of the features of independent Claim 11. Therefore, Claims 12-14, and 16 are also submitted to be patentably distinguishable over Lawrence, and reconsideration and withdrawal of the Section 102 rejection of these claims is respectfully requested.

Turning to Claim 17, Applicant respectfully submits that there is no teaching or suggestion in Lawrence of the features of the embodiment of the present invention recited as recited in Claim 17. Claim 17 recites limitations similar to Claim 11 and is allowable for at least this reason alone. Accordingly, claim 17 is respectfully submitted to be patentable over Lawrence and reconsideration and withdrawal of the section 102 rejection of claim 17 is respectfully requested.

Regarding the rejection of Claims 19-20, and 23-26 under 35 U.S.C. § 102 as being anticipated by Lawrence, these claims recite additional features which further patentably distinguish over Lawrence. Additionally, Claims 19-20, and 23-26 depend either directly or indirectly from independent Claim 17. Because of this dependency, Claims 19-20, and 23-26 include all of the features of independent Claim 17. Therefore, Claims 19-20, and 23-26 are also submitted to be patentably distinguishable over Lawrence, and reconsideration and withdrawal of the Section 102 rejection of these claims is respectfully requested.

New Claims

Claims 37-42 been added herein. These claims recite features not taught by Lawrence.

Claim 37 recites claim elements previously recited in independent Claim 11. Such recitations were previously rejected by the Office Action. Applicant respectfully submits that there is no teaching or suggestion in Lawrence of 1) “determining the at least one selected financial product or investment’s attractiveness for use by terrorist,” 2) “evaluating the level of complexity of the at least one selected financial product or investment,” 3) “determining if the at least one selected financial product or investment is currently monitored for use with respect to illegal activity,” 4) “determining a level of the person or other legal entity’s knowledge of the at least one financial product or investment; and 5) “determining a level of ease of obtaining and using the at least one financial product or investment,” as recited in Claim 11. Applicant notes that the Examiner has not pointed out where Lawrence discloses the specific claim elements recited in Claim 37. The MPEP clearly states that it is the burden of the Examiner to specifically point out where all of the claim recitations are located in the cited art. Such showing has not been made and thus a *prima facie* case of anticipation has simply not been made. Nowhere does Lawrence disclose any of the limitations of Claim 38. For example, there is no discussion at all in Lawrence about terrorist or attractiveness of a financial product for use in terrorism. Also, nowhere does Lawrence discuss any “level of complexity” of a financial product and in fact Lawrence does not even disclose what is inputted at all. Applicants are at a complete loss as to how Lawrence discloses each and every claim of Applicant’s claims without even mentioning what is entered into the GRM.

Claims 38-42 recite limitations that are clearly not taught or suggested by Lawrence. Allowance of Claims 37-42 are respectfully requested.

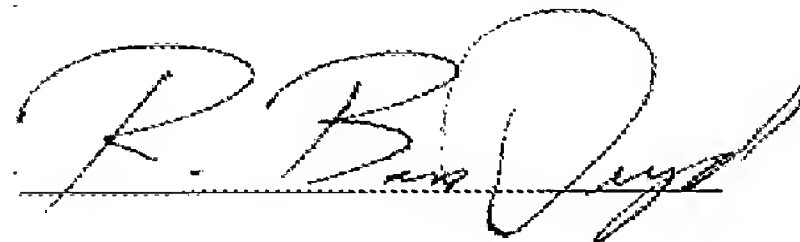
CONCLUSION

In view of the amendments to the application and the foregoing remarks, it is respectfully submitted that all of the claims of the present application are in condition for immediate allowance. It is therefore respectfully requested that a Notice of Allowance be issued. The Examiner is encouraged to contact Applicants’ undersigned attorney to resolve any remaining issues in order to expedite examination of the present application.

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Amdt. Dated: December 14, 2009
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It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 13-4365.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "R. Brian Drozd", written over a horizontal line.

R. Brian Drozd
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Date: 12/14/09

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